

**AFFIDAVIT OF TROOPER RICHARD HUBER**

1. I am a Massachusetts State Police Trooper, currently assigned to the New England Electronic Crimes Task Force at the United States Secret Service. In this capacity, I have been designated as a Federal Law Enforcement Agent. I have been a State Trooper for 17 years, and have been designated a Federal Agent for two years.

2. My role within the New England Electronic Crimes Task Force is to investigate financial crimes including investigations into violations of 18 U.S.C. § 1341, 18 U.S.C. § 1343, 18 U.S.C. § 1344, 18 U.S.C. § 513 (a), 18 U.S.C. § 1029 and 18 U.S.C. § 1956. Since joining the New England Electronic Crimes Task Force, I have been involved in several complex financial crime investigations, and have been involved in the preparation of affidavits for search and arrest warrants, utilizing informants and confidential witnesses, and implementing successful raid plans.

3. I am aware that Title 18, United States Code, Section 1341 makes it a crime to the United States mails or interstate common carriers to execute a scheme to defraud. Having so said, I make this affidavit in support of a criminal complaint charging VAHAGN GILAVYAN and IRINA VLASOVA, both of 59 Harris Street, Brookline, Massachusetts, with mail fraud in violation of 18 U.S.C. § 1341.

4. The information contained in this affidavit is based on my personal participation in this investigation, upon information received by me from other

law enforcement agents involved in this investigation, and upon my review of the evidence and certain documents obtained in the course of this investigation.

5. This affidavit does not contain every fact known to me with respect to this investigation. Rather, it contains those facts I believe to be necessary to establish the requisite probable cause.

### **INVESTIGATION**

6. In December 2004, the New England Electronic Crimes Task Force began an investigation into a fraudulent credit card ring that had been purchasing items with stolen card numbers and reselling items on EBay, an online auction site. The items being purchased with the fraud cards were being shipped to areas in and around Boston, generally in the Brighton and Brookline areas.

7. In December 2004, law enforcement officers interviewed an individual by the name of Maksim Kalinin who had been arrested in Rhode Island for use of fraudulent credit cards. Kalinin claimed that he received ten fraudulent credit cards from a man known as Alex Hidakov, and gave 3 of the cards to GILAVYAN at Hidakov's orders. Kalinin claimed that he, GILIVYAN and GILIVYAN'S girlfriend (whom he identified from a photo lineup as VLASOVA) purchased three laptop computers and one projector at a Staples store in Sturbridge, Rhode Island on November 7, 2003. The purchases were made at a register operated by an accomplice of Kalinin who was employed at the store. I have obtained copies of the credit card slips signed by GILIVYAN and VLASOVA.

8. Kalinin also told me that these items were sold by GILAVYAN and VLASOVA on the website EBay, through an account using the user name "shalunishka."

9. EBay records reveal that between the dates of November 8, 2003 and November 12, 2003 three laptops and one projector were sold via EBay auction using an account named "shalunishka."

10. According to EBay records, this account is registered to VLASOVA. The account remains active today and is listed as a "power seller." There have been approximately 273 sales since the account was activated on November 20, 2002. According to these records, this account has sold product totaling \$122,351.84. A breakdown of these sales by type show \$114,554.90 in electronics; \$7,029.56 in household items; and \$767.35 in clothing.

11. On March 26, 2003 in a domestic violence police report with the Boston Police, VLASOVA claimed she is GILAVYAN'S girlfriend. She claimed that GILAVYAN is a computer hacker who used her computer to perpetrate fraud. She claimed he was involved in a "scam" on EBay.

12. In April of 2005, a Special Agent in the Vermont field office of the USSS purchased a Sony Vaio laptop computer from the "shalunishka" account. A subsequent investigation has revealed that immediately prior to the EBay sale of the computer, the computer had been purchased from the UBid online auction site with a fraudulent credit card. The package had been sent by UBid to 80 St Paul Street, Brookline, Massachusetts, a vacant apartment.

13. According to the EBay records of the “shalunishka” account, the user of the “shalunishka” account logged into EBay from a computer with an internet provider address (IP) of 209.150.48.191, a static address located at 59 Harris Street, Brookline, Massachusetts.

14. On May 3, 2005, law enforcement officers received information from UBid of an upcoming delivery by Federal Express of two Sony Vaio computers to 164 Strathmore Rd, #9, Brighton, Massachusetts. The computers had been bought from UBid’s auction using a fraudulent credit card belonging to a California consumer with the initials C.P. The investigation revealed that someone changed C.P.’s credit card account information to 164 Strathmore Rd, #9 in Brighton, Massachusetts.

15. Agents of the USSS, working with other law enforcement agencies, obtained this package from Federal Express and attempted a controlled delivery of this package. Prior to delivery, VLASOVA and GILAVYAN were spotted in a vehicle parked near 164 Strathmore Rd, Brighton, Massachusetts.

16. When the agents attempted to deliver the packages, they found a note, purportedly from C.P., instructing the delivery service to leave the packages without a signature. Agents then observed VLASOVA and GILAVYAN casing the area for approximately 10 minutes before going behind the building to gain entrance, retrieving the packages, and leaving in their vehicle.

17. VLASOVA and GILAVYAN were then stopped and taken into state custody. The packages delivered by the agents to 164 Strathmore Road were found in the trunk of their vehicle.

18. During questioning of VLASOVA following her arrest, she consented to a search of her residence at 59 Harris Street, Brookline, Massachusetts with the specific stated intent to search for items which may provide information on her business dealings on EBay. VLASOVA signed a written consent form prior to the search taking place.

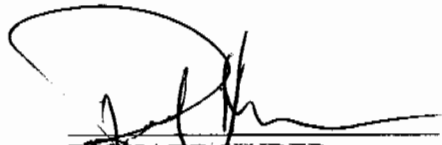
19. When agents searched the apartment, they found a several computers, along with 11 fraudulent visa cards that bore the name of GILAVYAN, VLASOVA, and others, but that had been re-encoded with a different number on the magnetic strip. The agents also recovered an encoding machine.

20. On May 9, 2005, the state police obtained a search warrant to search the computers found in the apartment for evidence of the criminal nature of the EBay business practice of the suspects VLASOVA and GILAVYAN, including but not limited to credit card numbers.

21. After the receipt of this search warrant, law enforcement officers examined these computers. Among other evidence found on the computers were over 300 credit card numbers and other identifying information for individuals other than VLASOVA and GILAVYAN. To date, law enforcement officers have not checked each of these credit card numbers to determine if they were fraudulent. However, law enforcement has concluded that many of the credit card numbers found on the computer had been used to make fraudulent purchases .

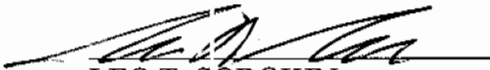
**CONCLUSION**

22. Based on the information described above, I have probable cause to believe that the subjects VAHAGN GILAVYAN and IRINA VLASOVA have committed mail fraud in violation of 18 U.S.C. § 1341.



RICHARD HUBER  
TROOPER MASSACHUSETTS  
STATE POLICE

Sworn to and subscribed  
before me on this 16<sup>th</sup> day  
of June, 2005



LEO T. SOROKIN  
United States Magistrate Judge

**Criminal Case Cover Sheet**

**U.S. District Court - District of Massachusetts**

Place of Offense: \_\_\_\_\_ Category No. II Investigating Agency US SECRET SERVICE

City Brookline Related Case Information:

County Norfolk Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_  
Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_  
Magistrate Judge Case Number \_\_\_\_\_  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**

Defendant Name IRINA VLASOVA Juvenile ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address 59 Harris Street, Brookline, MA

Birth date (Year only): 1971 SSN (last 4 #): 4340 Sex F Race: WH Nationality: USA

Defense Counsel if known: \_\_\_\_\_ Address: \_\_\_\_\_

Bar Number: \_\_\_\_\_

**U.S. Attorney Information:**

AUSA Seth Berman Bar Number if applicable 629332

Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_

Matter to be SEALED: ☒ Yes ☐ No

☒ Warrant Requested ☐ Regular Process ☐ In Custody

**Location Status:**

Arrest Date: \_\_\_\_\_

☐ Already in Federal Custody as \_\_\_\_\_ in \_\_\_\_\_

☐ Already in State Custody \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Release: Ordered by \_\_\_\_\_ on \_\_\_\_\_


Charging Document: ☒ Complaint ☐ Information ☐ Indictment

Total # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony One

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: June 16, 2005

Signature of AUSA: 



District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

Name of Defendant IRINA VLASOVA

U.S.C. Citations		
<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>18 U.S.C. § 1341</u>	<u>Mail Fraud</u>	<u>One</u>
Set 2 _____	_____	_____
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

ADDITIONAL INFORMATION:



**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. II Investigating Agency US SECRET SERVICECity Brookline Related Case Information:County Norfolk Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_  
Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_  
Magistrate Judge Case Number \_\_\_\_\_  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_**Defendant Information:**Defendant Name VAHAGN GILAVYAN Juvenile ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address 59 Harris Street, Brookline, MABirth date (Year only): 1981 SSN (last 4 #): none Sex M Race: WH Nationality: Russian

Defense Counsel if known: \_\_\_\_\_ Address: \_\_\_\_\_


Bar Number: \_\_\_\_\_

**U.S. Attorney Information:**AUSA Seth Berman Bar Number if applicable 629332Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Matter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested☐ Regular Process☐ In Custody**Location Status:**

Arrest Date: \_\_\_\_\_

☐ Already in Federal Custody as \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by \_\_\_\_\_ on \_\_\_\_\_Charging Document: ☒ Complaint ☐ Information ☐ IndictmentTotal # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony One

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: June 16, 2005Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

Name of Defendant VAHAGN GILAVYAN

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 1341</u>	<u>Mail Fraud</u>	<u>One</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: